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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 BRYAN E. JOHNSON,

12 Plaintiff,

13 v.

14 JUDY SNOW,

15 Defendant.

Case No. C08-5570 RJB/KLS

ORDER TO SHOW CAUSE

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17 This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28
18 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the court on Plaintiff's filing of a
19 motion to proceed *in forma pauperis*. Dkt. # 1. Plaintiff is currently detained at the Pierce County Jail in
20 Tacoma, Washington. To file a complaint and initial legal proceedings, a plaintiff must file a filing fee of
21 \$350.00 or file a proper application to proceed *in forma pauperis*.

22 The court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper
23 affidavit of indigency. *See* 28 U.S.C. § 1915(a). However, the court has broad discretion in denying an
24 application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied*,
25 375 U.S. 845 (1963). Several district courts have ruled that denial of *in forma pauperis* status is not
26 unreasonable when a prisoner is able to pay the initial expenses required to commence a lawsuit. *See*
27 *Temple v. Ellerthorpe*, 586 F.Supp. 848 (D.R.I. 1984); *Braden v. Estelle*, 428 F.Supp. 595 (S.D.Tex.
28 1977); *U.S. ex rel. Irons v. Com. of Pa.*, 407 F.Supp. 746 (M.D.Pa. 1976); *Shimabuku v. Britton*, 357

1 F.Supp. 825 (D.Kan. 1973), *aff'd*, 503 F.2d 38 (10th Cir. 1974); *Ward v. Werner*, 61 F.R.D. 639 (M.D.Pa.
2 1974).

3 Pursuant to 28 U.S.C. § 1915(a)(2):

4 A prisoner seeking to bring a civil action or appeal a judgment in a civil action or
5 proceeding without prepayment of fees or security therefor . . . shall submit a certified
6 copy of the trust fund account statement (or institutional equivalent) for the prisoner for
7 the 6-month period immediately preceding the filing of the complaint or notice of
8 appeal, obtained from the appropriate official of each prison at which the prisoner is or
9 was confined.

10 In his initial application to proceed *in forma pauperis*, Plaintiff failed to provide the Court with
11 information regarding his inmate trust account. Dkt. # 1. In a separate document dated September 22,
12 2008, Plaintiff stated that he was submitting a "computer print-out of his inmate trust account," however
13 no such print-out was attached. Dkt. # 3. By letter dated September 25, 2008, the Court Clerk advised
14 Plaintiff that he was required to provide a certified copy of his prison trust account statement showing
15 transactions for the past six months. Dkt. # 2. Plaintiff promptly responded, stating that he had already
16 provided the Court with all relevant transactions as he has not been imprisoned for the past six months.
17 Dkt. # 4.

18 Plaintiff is correct that he need only supply the Court with his prison trust account transactions
19 relevant to the time he has been imprisoned. However, the document to which he referred in his
20 September 22nd filing was not included in his mailing to the Court. Therefore, the Court is unable to
21 complete its determination of Plaintiff's *in forma pauperis* application.

22 Accordingly, it is **ORDERED**:

- 23 (1) Plaintiff shall provide the Court with relevant trust account transactions relating to the time
24 that he has been imprisoned at the Pierce County Jail. Plaintiff shall provide such
25 information to the Court **no later than November 14, 2008**; and
26 (2) The Clerk is directed to send a copy of this Order to Plaintiff.

27 DATED this 20th day of October, 2008.

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Karen L. Strombom
United States Magistrate Judge